

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

DEXON COMPUTER, INC.,	)	
	)	
Plaintiff,	)	Civil Action No. 5:22-cv-00053-RWS-JBB
	)	
v.	)	
	)	
CISCO SYSTEMS, INC. and CDW	)	
CORPORATION,	)	
	)	
Defendants.	)	
	)	

**DEFENDANT CISCO SYSTEMS, INC.’S NOTICE OF AMENDED  
JOINT PRETRIAL ORDER EXHIBIT**

Defendant Cisco Systems, Inc. (“Cisco”) hereby files notice of an amended exhibit to the Joint Pretrial Order (Dkt. 419). Exhibit 1 is an amended version of Cisco’s Exhibit List (Dkt. 419-3).

Dated: January 19, 2024

Respectfully submitted,

/s/ Deron R. Dacus

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*Attorneys for Defendant Cisco Systems, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record, who are deemed to have consented to electronic service are being served on January 19, 2024, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) and electronic mail.

/s/ Deron R. Dacus  
Deron R. Dacus

# **Exhibit 1**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

**DEXON COMPUTER, INC.,**

**Plaintiff,**

**v.**

**CISCO SYSTEMS, INC. AND  
CDW CORPORATION,**

**Defendants.**

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§

**CASE NO. 5:22-cv-00053-JBB-RWS**

**DEFENDANT'S SECOND AMENDED EXHIBIT LIST**

Judge Robert W. Schroeder III			PLAINTIFF'S ATTORNEY	DEFENDANT'S ATTORNEY
TRIAL DATE (S)			COURT REPORTER	COURTROOM DEPUTY
PL / Def. No.	DATE OFFERED	ADMITTED	DESCRIPTION OF EXHIBITS*	
DX001			Cisco, Buy Right – Buy Authorized Cisco (as produced on July 29, 2023)	
DX002			Cisco, Hardware and Software Warranty Information (as produced on July 29, 2023)	
DX003			Cisco, Hardware Inspection and Software Relicensing Program (as produced on July 29, 2023)	
DX004			Cisco, Identify Counterfeit and Pirated Products (as produced on July 29, 2023)	
DX005			Cisco, Network Integrity Begins with the Purchase (as produced on July 29, 2023)	
DX006			Cisco, Non-Entitlement Policy (External) Version 2.0 (as produced on July 29, 2023)	
DX007			Cisco, Partner Locator (as produced on July 29, 2023)	
DX008			Cisco, Purchase of Cisco Products from Unauthorized Resellers Due to Stock Shortages and/or Long Lead Time Issues (as produced on August 19, 2023)	
DX009			Cisco, Third Party Maintenance Services and Purchase of Cisco Products Outside the Authorized Channel (as produced on July 29, 2023)	
DX010			CISCO00793820	
DX011			CISCO00793824	
DX012			Coleman Ex. 4 (CDW-DXN-00384364)	
DX013			CISCO00036884	

DX014			Avaya, Reseller Agreement (as produced on July 29, 2023)
DX015			Babich Ex. 6 (CDW-DXN-00028704)
DX016			CDW Corporation's Website (CDW.com), in whole or in part
DX017			CDW3 / CDW17 (DEXON_0024115)
DX018			CDW18 (CDW-DXN-00013798)
DX019			CDW-DXN-00014160
DX020			CDW-DXN-00025508
DX021			CDW-DXN-00028715
DX022			CDW-DXN-00030043
DX023			Exhibit Withdrawn by Defendant
DX024			Exhibit Withdrawn by Defendant
DX025			CDW-DXN-00030784
DX026			CDW-DXN-00032136
DX027			CDW-DXN-00032534
DX028			CDW-DXN-00032564
DX029			CDW-DXN-00032751
DX030			CDW-DXN-00033570
DX031			CDW-DXN-00086299
DX032			CDW-DXN-00198329
DX033			CDW-DXN-00233885
DX034			CDW-DXN-00254070
DX035			CDW-DXN-00254617
DX036			CDW-DXN-00032804
DX037			CDW-DXN-00344347

DX038			CDW-DXN-00397890
DX039			CDW-DXN-00422971
DX040			CDW-DXN-00528302
DX041			CDW, Form 10-K Fiscal Year 2022 (as produced on July 29, 2023)
DX042			Cisco002 (DEXON_0464715)
DX043			Cisco006 (DEXON_0466166)
DX044			Cisco013 (DEXON_0466295)
DX045			Cisco014 (CISCO00012678)
DX046			Cisco016
DX047			Cisco019
DX048			Cisco022 (DEXON_0442180)
DX049			Cisco025 (DEXON_0443662)
DX050			Cisco030 (DEXON_0452806)
DX051			Cisco032 (DEXON_0452936)
DX052			Cisco033 (DEXON_0453863)
DX053			Cisco034 (DEXON_0454944)
DX054			Cisco035 (DEXON_0460017)
DX055			Cisco040 (LECD-0474)
DX056			Cisco044 (DEXON_0214307)
DX057			Cisco045 (DEXON_0224084)
DX058			Cisco053 (DEXON_0011135)
DX059			Cisco058 (DEXON_0464814)
DX060			Cisco059 (DEXON_0013340)
DX061			Cisco062 (DEXON_0433989)

DX062			Cisco075
DX063			Cisco081
DX064			Cisco084 (DEXON_0148536)
DX065			Cisco088 (DEXON_0394609)
DX066			Cisco089 (DEXON_0246319)
DX067			Cisco102 / Cisco197 (DEXON_0132191)
DX068			Cisco103 (DEXON_0301717)
DX069			Cisco105 (DEXON_0588734)
DX070			Cisco109
DX071			Cisco111 (DEXON_0002158)
DX072			Cisco115 / Cisco230 (DEXON_0010991)
DX073			Cisco117 (DEXON_0018385)
DX074			Cisco119 (DEXON_0013614)
DX075			Cisco120 (DEXON_0014749)
DX076			Cisco122 (DEXON_0019726)
DX077			Cisco124 (DEXON_0057110)
DX078			Cisco125 (DEXON_0057140)
DX079			Cisco128 (DEXON_0042764)
DX080			Cisco129 (DEXON_0051635)
DX081			Cisco131 (DEXON_0073789)
DX082			Cisco139 (DEXON_0400201)
DX083			Cisco143 (DEXON_0087299)
DX084			Cisco144 (DEXON_0443763)
DX085			Cisco145 (DEXON_0444716)



DX086			Cisco146 (DEXON_0475442)
DX087			Cisco149
DX088			Cisco150 (DEXON_0454321)
DX089			Cisco157 (DEXON_0445931)
DX090			Cisco158 (DEXON_0051641)
DX091			Cisco159 (DEXON_0389143)
DX092			Cisco172 (DEXON_0068052)
DX093			Cisco187 (DEXON_0153614)
DX094			Cisco192 (DEXON_0661116)
DX095			Cisco216 (DEXON_0276074)
DX096			Cisco219 (DEXON_0284429)
DX097			Cisco222 (DEXON_0023678)
DX098			Cisco229 (DEXON_0408502)
DX099			Cisco232 (DEXON_0406794)
DX100			Cisco233
DX101			Cisco234
DX102			Cisco235
DX103			Cisco236 (DEXON_0087464)
DX104			Cisco245 (DEXON_0339429)
DX105			Cisco248 (DEXON_0369933)
DX106			Cisco252 (DEXON_0339447)
DX107			Cisco253 (DEXON_0347156)
DX108			Cisco273 (DEXON_0019638)
DX109			Cisco277 (DEXON_0427967)

DX110			Cisco289 (DEXON_0476849)
DX111			Cisco297 (DEXON_0705342)
DX112			Cisco304 (DEXON_0661044)
DX113			Cisco315 (DEXON_0206363)
DX114			Cisco330
DX115			Cisco332
DX116			Cisco334
DX117			Exhibit Withdrawn by Defendant
DX118			CISCO00000030
DX119			Exhibit Withdrawn by Defendant
DX120			Exhibit Withdrawn by Defendant
DX121			Exhibit Withdrawn by Defendant
DX122			CISCO00000180
DX123			Exhibit Withdrawn by Defendant
DX124			CISCO00000204
DX125			CISCO00000218
DX126			Exhibit Withdrawn by Defendant
DX127			CISCO00000296
DX128			CISCO00002623
DX129			CISCO00002689
DX130			CISCO00003180
DX131			CISCO00003197
DX132			CISCO00003201
DX133			CISCO00008602

DX134			CISCO00008604
DX135			CISCO00008575
DX136			CISCO00008600
DX137			CISCO00008601
DX138			CISCO00009443
DX139			CISCO00010499
DX140			CISCO00011665
DX141			CISCO00014636
DX142			CISCO00036882
DX143			CISCO00046569
DX144			CISCO00224583
DX145			CISCO00467946
DX146			CISCO00669868
DX147			CISCO00674991
DX148			CISCO00797018
DX149			CISCO00797030
DX150			CISCO00797033
DX151			CISCO00798909
DX152			Cisco, Catalyst IOS Software Update Program for Cisco Catalyst (as produced on August 19, 2023)
DX153			Cisco, Enhanced Limited Lifetime Hardware Warranty (as produced on July 29, 2023)
DX154			Coleman Ex. 10 (CDW-DXN-00225813)
DX155			Coleman Ex. 17 (CDW-DXN-00387650)
DX156			Coleman Ex. 20 (CDW-DXN-00408659)

DX157			Cybersecurity & Infrastructure Security Agency (CISA), The Increasing Threat to Network Infrastructure Devices and Recommended Mitigations (as produced on July 29, 2023)
DX158			Declaration of Jojo Jacob (dated June 21, 2023)
DX159			Declaration of Leo Kaas in Response to Plaintiffs' Amended [Proposed] Order for Mandatory Injunction, <i>Cisco Systems, Inc. v. Dexon Computer, Inc.</i> , No. 3:20-cv-4926-CRB (N.D. Cal. dated Aug. 9, 2023)
DX160			Declaration of Rayne Martz (dated April 20, 2023)
DX161			Dell, Reseller Terms of Sale (as produced on July 29, 2023)
DX162			Department of Justice, CEO of Dozens of Companies Pleads Guilty to Massive Scheme to Traffic in Fraudulent and Counterfeit Cisco Networking Equipment (as produced on July 29, 2023)
DX163			Exhibit Withdrawn by Defendant
DX164			DEXON_0004662
DX165			DEXON_0015631
DX166			DEXON_0015863
DX167			DEXON_0032987
DX168			DEXON_0045083
DX169			DEXON_0058114
DX170			DEXON_0201718
DX171			DEXON_0216366
DX172			DEXON_0246675
DX173			DEXON_0277661
DX174			DEXON_0298918
DX175			DEXON_0319124
DX176			DEXON_0365598
DX177			DEXON_0370692
DX178			DEXON_0386709
DX179			DEXON_0390930

DX180			DEXON_0397168
DX181			DEXON_0414610
DX182			DEXON_0429285
DX183			DEXON_0431047
DX184			DEXON_0431616
DX185			DEXON_0434672
DX186			DEXON_0476847
DX187			DEXON_0476848
DX188			DEXON_0476849
DX189			DEXON_0476850
DX190			DEXON_0491421
DX191			DEXON_0549955
DX192			DEXON_0583685
DX193			DEXON_0705326
DX194			DEXON_0705345
DX195			DEXON_0705349
DX196			DEXON_0705369
DX197			DEXON_0705370
DX198			Dexon Computer, Inc.'s Responses to CDW Corporation's Interrogatories in whole or in part
DX199			Dexon Computer, Inc.'s Responses to CDW Corporation's Requests for Admission in whole or in part
DX200			Dexon Computer, Inc.'s Responses to Cisco Systems, Inc.'s Interrogatories in whole or in part
DX201			Dexon Computer, Inc.'s Responses to Cisco Systems, Inc.'s Requests for Admission in whole or in part
DX202			Dexon Computer, Inc.'s Website (Dexon.com) in whole or in part
DX203			ENI000003

DX204			eBay Vendor Page for eBay Stores_prttyboi34
DX205			Extreme Networks, Reseller Guide (as produced on July 29, 2023)
DX206			FBISD_1425
DX207			FBISD_2981
DX208			Peter Hlavnicka and Anthony Keats, <i>Protecting the Brand: Counterfeiting and Gray Markets</i> (Volume 1, 2021)
DX209			HPE00001
DX210			19236_JNPR_00000024
DX211			Juniper Networks, Cybersecurity: An Examination of the Communications Supply Chain (as produced on July 29, 2023)
DX212			Juniper Networks, Gray Market Product Support FAQs (as produced on July 29, 2023)
DX213			Kizer Ex. 01
DX214			Palo Alto Networks, Secondary Market Policy (as produced on July 29, 2023)
DX215			Physical Exhibit (Exemplar Cisco Systems, Inc. Switch)
DX216			Physical Exhibit (Exemplar Cisco Systems, Inc. Router)
DX217			Physical Exhibit (Exemplar Cisco Systems, Inc. IP Phone)
DX218			Physical Exhibit (Exemplar Counterfeit Switch Branded as Cisco Systems, Inc.)
DX219			Rubeck Ex. 02 (CDW-DXN-00064526)
DX220			Exhibit Withdrawn by Defendant
DX221			Exhibit Withdrawn by Defendant
DX222			Exhibit Withdrawn by Defendant

DX223			Summary of, in whole or part and subject to amendment or modification: Cisco089 (DEXON_0246319), CISCO00000331, CISCO00000375, CISCO00000399, CISCO00000447, CISCO00000453, CISCO00003960, CISCO00008569, CISCO00008575, CISCO00008600, CISCO00008601, CISCO00008604, CISCO00009091, CISCO00009443, CISCO00009972, CISCO00010499, CISCO00012678, CISCO00012786, CISCO00012943, CISCO00014348, CISCO00015163, CISCO00016204, CISCO00035586, CISCO00467757, CISCO00468044, CISCO00486021, CISCO00507864, CISCO00520907, CISCO00521091, CISCO00524636, CISCO00527152, CISCO00797016, CISCO00797018, CISCO00797020, CISCO00797033, CISCO00798896, DEXON_0298918, DEXON_0365598, DEXON_0370692, DEXON_0434672, DEXON_0466166, DEXON_0466295, DEXON_0476847, DEXON_0476848, DEXON_0476849, DEXON_0476850, DEXON_0583685, DEXON_0696123, DEX-002688
DX224			Summary of, in whole or part and subject to amendment or modification: Arista, End User License Agreement; Aruba, End User License Agreement; Cisco, End User License Agreement; Dell Technologies, End User License Agreement; Extreme, End User License Agreement; Juniper Networks, Master Purchase and License Agreement; Palo Alto Networks, End User Agreement; VMWare, End User License Agreement (each as produced on August 19, 2023)
DX225			Summary of, in whole or part and subject to amendment or modification: Cisco, Channel Certification Program; Dell Technologies, 2023 Dell Technologies Partner Program: Powered by Collaboration; ENI000005; Extreme Networks, Reseller Guide Partner Program; Fortinet, Engage Partner Program Brochure and Enhancements to the Fortinet Engage Partner Program; Hewlett Packard Enterprise, Aruba Partner Programs; Juniper Networks, Juniper Partner Advantage, Arista, Partner Program ("Arista Channels NOW! Partner Program") (each document without a Bates number as produced on July 29, 2023)
DX226			Summary of, in whole or part and subject to amendment or modification: CDW-DXN-00000125, CDW-DXN-00000126, CDW-DXN-00000127, CDW-DXN-00000128, CDW-DXN-00000129, CDW-DXN-00000130, CDW-DXN-00000131, CDW-DXN-00000132
DX227			Summary of, in whole or part and subject to amendment or modification: CDW-DXN-00899106, CDW-DXN-00899107, CDW-DXN-00899108
DX228			Summary of, in whole or part and subject to amendment or modification: DEXON_0476847, DEXON_0476848, DEXON_0476849, DEXON_0476850
DX229			Summary of, in whole or in part and subject to amendment or modification: Coleman Ex. 4 (CDW-DXN-00384364)
DX230			Szymanski Ex. 3 (CDW-DXN-00029974)
DX231			Szymanski Ex. 4 (CISCO00004825)
DX232			Szymanski Ex. 5 (CDW-DXN-00030064)
DX233			Szymanski Ex. 6 (CDW-DXN-00030471)
DX234			Szymanski Ex. 7 (CDW-DXN-00037686)

DX235			Szymanski Ex. 12 (CDW-DXN-00038581)
DX236			TARGA000617
DX237			TARGA000688
DX238			Ugone Rebuttal Appendix A
DX239			Ugone Rebuttal Appendix B
DX240			Ugone Rebuttal Appendix C
DX241			Exhibit Withdrawn by Defendant
DX242			Ugone Rebuttal Exhibit 10
DX243			Ugone Rebuttal Exhibit 11
DX244			Zettlemoyer Ex. 01 (CISCO-05742)
DX245			Zettlemoyer Ex. 02 (CISCO-05742)
DX246			Zettlemoyer Ex. 03 (CISCO-08761)
DX247			Zettlemoyer Ex. 04 (CISCO-07329)
DX248			Zettlemoyer Ex. 05 (DEXON_0349816)
DX249			Zettlemoyer Ex. 06 (DEXON_0350037)
DX250			Zettlemoyer Ex. 08 (CISCO-08772)
DX251			Maness Opening Report Exhibit 3
DX252			Maness Opening Report Exhibit 4
DX253			Maness Opening Report Exhibit 5
DX254			CISCO00524633
DX255			DEXON_0064939
DX256			CISCO00003951
DX257			DEXON_0656215
DX258			Cisco277 (DEXON_0427967)



DX259			DEXON_0127434
DX260			CISCO00035586
DX261			Cisco133 (DEXON_0056492)
DX262			CDW-DXN-00028776
DX263			CDW-DXN-00032810
DX264			CISCO00011626 (previously PX016)
DX265			CISCO00003852 (previously PX018)
DX266			Babich Ex. 08 (CISCO00000425) (previously PX049)
DX267			DEXON_0015581 (previously PX081)
DX268			CISCO00010500 (previously PX095)
DX269			CISCO00010509 (previously PX096)
DX270			CISCO00019985 (previously PX102)
DX271			CISCO00468263 (previously PX104)
DX272			CISCO00481371 (previously PX105)
DX273			CISCO00481390 (previously PX106)
DX274			CISCO00488828 (previously PX107)
DX275			CISCO00589181 (previously PX108)
DX276			CISCO00590069 (previously PX109)
DX277			CISCO00797032 (previously PX113)
DX278			Abbott Ex. 08 (CISCO00011629) (previously PX124)
DX279			CISCO00468305 (previously PX130)
DX280			Complaint, <i>Cisco Systems, Inc. and Cisco Technology Inc. v. Dexon Computer, Inc.</i> , Case No. 3:11-cv-01455-WHA, Dkt. 1 (N.D. Cal.) (previously PX252)
DX281			DEXON_0707665 (previously PX254)
DX282			Marhaba Ex. 06 (CDW-DXN-00028935)

DX283			CISCO00000380
DX284			CISCO00000412
DX285			CISCO00003102
DX286			CISCO00035586
DX287			CISCO00072885
DX288			CISCO00467947
DX289			CISCO00797014
DX290			CISCO00797015
DX291			CISCO00797016

\* Include a notation as to the location of any exhibit not held with the case file or not available because of size.